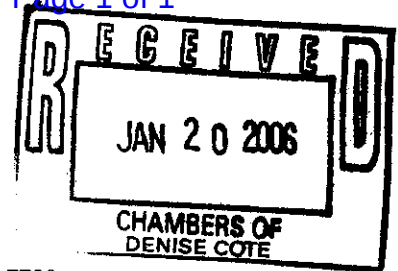


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MEMO ENDORSED



MICHAEL COLIHAN, ESQ. 44 Court Street Rm 911 Brooklyn, NY 11201 (718)488-7788

Hon. Denise Cote
USDC- Southern District of New York
500 Pearl Street
Brooklyn, NY 11201

January 15, 2006.

RE: Hyer, et al NYC, et al

Dear Judge Cote:

I represent the plaintiff in the above-entitled action. There is a conference before the Court on January 27, 2006. This past Thursday I was struck by a van while a pedestrian & sustained hip fractures in five places. My doctor tells me that assuming there are no complications it will be approximately two months before I can resume my normal activities. I thus request an adjournment of this conference until on or about April 1, 2006.

I thank you for your attention & consideration.

MC/mz

cc ACC Prathy Reddy

Sincerely,

A handwritten signature in black ink, appearing to be "Michael Colihan".

Michael Colihan
BY: M Zhang

*The conference is
adjourned to
April 17 at 11³⁰ am.*

*Denise Cote
Jan 20, 2006*